

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2014-002308-001 DT

10/29/2014

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT  
B. McDonald  
Deputy

STATE OF ARIZONA

NICHOLAS D MICHAUD

v.

TY ANTHONY KACHANUK (001)  
DOB: 09/30/1983

JASON D LAMM

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
RFR

**SUSPENSION OF SENTENCE - PROBATION GRANTED**

9:41 a.m.

Courtroom SCT 6B

|                       |                   |
|-----------------------|-------------------|
| State's Attorney:     | Nicholas Michaud  |
| Defendant's Attorney: | Jason Lamm        |
| Defendant:            | Present           |
| Court Reporter:       | Barbara Stockford |

**Count(s) 1: WAIVER OF TRIAL:** The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

**IT IS THE JUDGMENT of the Court Defendant is guilty of the following:**

**OFFENSE: Count 1: Possession of Narcotic Drugs for Sale**

Class 2 Felony

A.R.S. § 13-3401, 3408, 3418, 3105, 701, 702, 801

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Date of Offense: June 18, 2013  
Non Dangerous - Non Repetitive

Pursuant to A.R.S. § 13-3401, the Court finds the aggregate amount of drugs is less than the statutory threshold amount.

**The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:**

**Upon physical release from prison pursuant to A.R.S. §13-603(K). Count 1: For a period of 7 years.**

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning on the first day of the fourth month upon release from prison.

FINE: Count 1 - Total amount of \$3660.00, which includes surcharges of 83%, payable \$50.00 per month beginning on the first day of the fourth month upon release from prison.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION ASSESSMENT: Count 1 - \$20.00 payable on the first day of the fourth month upon release from prison.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on the first day of the fourth month upon release from prison.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on the first day of the fourth month upon release from prison.

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Investigative Agency:

Peoria Police Department

All amounts payable through the Clerk of the Superior Court.

**IT IS FURTHER ORDERED** that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

**IT IS ORDERED** granting the Motion to Dismiss the following: Counts 2 and 3; Threshold allegation in Count 1.

**IT IS FURTHER ORDERED** Defendant be released from custody for this case only.

**IT IS FURTHER ORDERED** that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

The presentence investigation report is filed under CR2014-002308-001.

10:15 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE BRUCE R. COHEN  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)